

Eric Grant
Deputy Assistant Attorney General
Environment & Natural Resources Division
United States Department of Justice

**Andrew “Guss” Guarino /Tyler J. Eastman
/ Marisa J. Hazell**

Trial Attorneys, Indian Resources Section
999 18th Street, South Terrace, Suite 370
Denver, Colorado 80202
Office: 303-844-1343 Fax: 303-844-1350
E-mail: guss.guarino@usdoj.gov
and
P.O. Box 7611
Washington, D.C. 20044
Office: 202-305-0264, 202-307-2291
Fax: 202-305-0275
E-mail: tyler.eastman@usdoj.gov
marisa.hazell@usdoj.gov

David L. Negri

Trial Attorney, Natural Resources Section
c/o US Attorney’s Office
800 Park Blvd., Suite 600
Boise, Idaho 83712
Tel: (208) 334-1936; Fax: (208) 334-1414
E-mail: david.negri@usdoj.gov

Attorneys for the United States

Wes Williams, Jr.

Nevada Bar #6864
Law Offices of Wes Williams Jr., P.C.
3119 Lake Pasture Rd.
P.O. Box 100
Schurz, Nevada 89427
Phone: 775-530-9789
E-mail: wwilliamslaw@gmail.com

Alice E. Walker

Gregg H. De Bie

Meyer, Walker, Condon & Walker, P.C.
1007 Pearl Street, Suite 220
Boulder, Colorado 80302
Phone: 303-442-2021
Fax: 303-444-3490
E-mail: awalker@mmwclaw.com
gdebie@mmwclaw.com

Attorneys for the Walker River Paiute Tribe

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	IN EQUITY NO. C-125-MMD
)	Subproceeding: 3:73-CV-00125-MMD-WGC
Plaintiff,)	
)	STATUS REPORT AND STIPULATION
WALKER RIVER PAIUTE TRIBE,)	AND REQUEST FOR ORDER ON
)	BRIEFING
Plaintiff-Intervenor,)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	
)	
Defendants.)	
)	

STATUS REPORT AND STIPULATION AND REQUEST FOR ORDER ON BRIEFING

1 The United States, the Walker River Paiute Tribe (Tribe), the Walker River Irrigation
 2 District (WRID), and the United States Board of Water Commissioners for the Walker River
 3 (USBWC) (collectively, Parties), by and through their undersigned counsel, jointly submit to the
 4 Court this Status Report and Stipulation and Request for Order on Briefing regarding the annual
 5 initiation of the Tribe's irrigation season.

- 6 1. In response to the *Report and Petition for Approval of Budget and Approval of Rate of*
 7 *Assessment for the Year July 1, 2020 Through June 30, 2021, and for Approval of the*
 8 *Audit Report for the Year Ended June 30, 2019* (ECF No. 1605) (*Report and Petition*),
 9 the Tribe and the United States objected to the proposed report concerning the initiation
 10 of the Tribe's irrigation season. *Joint Comments/Objections of the Walker River Paiute*
 11 *Tribe and the United States of America to the Report and Petition for Approval of Budget*
 12 *and Approval of Rate of Assessment for the Year July 1, 2020 through June 30, 2021, and*
 13 *for Approval of the Audit Report for the Year Ended June 30, 2019* (ECF No 1617).
- 14 2. The Court approved the Report and Petition. In response to the objection filed by the
 15 Tribe and the United States (ECF No. 1617), the Court encouraged the Parties "to discuss
 16 the matter and file a motion if they cannot resolve the issue." *Minutes of Proceeding*
 17 (ECF No. 1625).
- 18 3. On May 21, 2020, the Court ordered that if the Parties were unable to resolve the dispute,
 19 the United States and Tribe should file a motion(s), on or before August 31, 2020, with
 20 responses due on September 30, 2020, and replies due on October 16, 2020. *Minutes of*
 21 *Proceeding* (ECF No. 1625).
- 22 4. Because the Parties made progress to resolve their differences concerning the objection
 23 previously filed (ECF No. 1617) but had not yet reached an agreement, the Parties
 24 requested an extension to continue to attempt to resolve the dispute by agreement and
 25 vacate the briefing deadlines.
- 26 5. In the August 31, 2020 *Minute Order* (ECF No. 1643), the Court vacated the briefing
 27 deadlines established in the May 21, 2020 *Minute Order* and required a joint status report
 28 to be filed by September 30, 2020.

6. The Parties remain open to the possibility of resolving their dispute through agreement but have not reached a resolution at this time. The Parties believe the proposed schedule should allow for a ruling on the issue of the irrigation season start date for the Walker River Indian Reservation without interfering with the 2021 irrigation season which commences March 1, 2021.

NOW, THEREFORE, the Parties hereby stipulate and agree as follows and request that the Court enter an order accordingly:

1. The Tribe and United States will file motion(s) on or before October 16, 2020.
2. USBWC and WRID will file responses on or before November 20, 2020.
3. The Tribe and United States will file replie(s) on or before December 11, 2020.
4. The Parties shall immediately inform the Court if they have resolved their dispute through agreement.

Dated: September 30, 2020

LAW OFFICES OF WES WILLIAMS, JR.,
P.C.

By: /s/ Wes Williams, Jr.
(per authorization)
Wes Williams, Jr., NSB 9864

3119 Pasture Rd.
P.O. Box 100
Schurz, Nevada 89427

MEYER, WALKER, CONDON &
WALKER, P.C.

By: /s/ Alice E. Walker
(per authorization)
Alice E. Walker
Gregg H. De Bie
1007 Pearl Street, Suite 220
Boulder, Colorado 80302
Attorneys for the Walker River Paiute Tribe

ALLISON MACKENZIE, LTD.

By: /s/ Karen A. Peterson
(per authorization)
Karen A. Peterson, Esq., NSB 0366

402 North Division Street
Carson City, NV 89703
*Attorneys for the United States Board of
Water Commissioners for the Walker River*

U.S. DEPARTMENT OF JUSTICE

WOODBURN AND WEDGE

By: /s/ Guss Guarino
Guss Guarino
Tyler J. Eastman
Marisa J. Hazell

By: /s/ Gordon H. DePaoli
(per authorization)
Gordon H. DePaoli, NSB 195

Trial Attorneys, Indian Resources Section
999 18th Street, South Terrace, Suite 370
Denver, Colorado 80202
and
P.O. Box 7611
Washington, D.C. 20044

6100 Neil Road, Suite 500
Reno, Nevada 89511
Attorneys for Walker River Irrigation District

David L. Negri
Trial Attorney, Natural Resources Section
c/o US Attorney's Office
800 Park Blvd., Suite 600
Boise, Idaho 83712
Attorneys for the United States

ORDER

Dated: September 30, 2020. IT IS SO ORDERED.



Miranda M. Du
Chief United States District Judge

Certificate of Service

It is hereby certified that on September 30, 2020 service of the foregoing was made through the court's electronic filing and notice system (CM/ECF) to all of the registered participants..

/s/ Andrew "Guss" Guarino
Andrew "Guss" Guarino

STATUS REPORT AND STIPULATION AND REQUEST FOR ORDER ON BRIEFING